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*Attorney for Claimant Roman Hossain*

**UNITED STATES DISTRICT COURT**
**NORTHERN DISTRICT OF CALIFORNIA**
**SAN FRANCISCO DIVISION**

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>v.<br><br>Approximately 69,370 Bitcoin (BTC), Bitcoin) Gold (BTG), Bitcoin SV (BSV), and Bitcoin) Cash (BCH) seized from 1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx,<br><br>Defendants,<br><br>ROMAN HOSSAIN,<br><br>Claimant. | Case No. CV 20-7811 RS<br><br>HON. RICHARD SEEBORG<br>United States District Judge<br>Courtroom 3<br><br>**VERIFIED CLAIM AND STATEMENT OF INTEREST PURSUANT TO 18 U.S.C. § 983(a)(4)(A) & (d), and RULES C(6)(a) & G(5)(a) OF THE SUPPLEMENTAL RULES FOR ADMIRALTY OR MARITIME CLAIMS AND ASSET FORFEITURE ACTIONS**<br><br>Case Filed:  November 5, 2020<br>FAC Filed:  November 20, 2020<br>Trial Date:  TBD |

PURSUANT TO Title 18, United States Code, sections 983(a)(4)(A) & (d), and Rules C(6)(a) & (G)(5)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture, Claimant Roman Hossain ("Claimant"), by and through his counsel of record, Yasin M. Almadani, hereby files this verified claim and statement of interest, making a claim to 245.92 BTC (and all associated past and future BTC forks, including but not limited to BTG, BSV, BCH, etc.) on the following basis:

1.      I, Roman Hossain, am a resident of California, and am the original, rightful, and innocent owner of at least 245.92 of the 69,370 Bitcoin ("BTC") seized by the government from Blockchain address 1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx (the

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"1HQ3" wallet) that is the subject of this forfeiture action.

2.     The BTC belonging to me was held by me at the Mt. Gox Exchange, from where it was stolen by hackers and transferred to Silk Road, and stolen again and transferred to the 1HQ3 wallet, from which it was seized by the government.

3.     The Mt. Gox Exchange website was a website on the worldwide web on which the public could openly and legitimately purchase BTC. Many people did so for investment purposes hoping for appreciation over time.

4.     On or before March 1, 2012, I opened an account on the Mt. Gox Exchange and deposited $2,475 USD to purchase BTC with the hope that my BTC investment would appreciate over time. I thereafter openly and legitimately purchased BTC on the Mt. Gox Exchange for investment purposes, and for no unlawful purpose. During this time, I graduated from the University of California, Irvine, Paul Merage School of Business with an MBA and was awaiting matriculation to law school.

5.     My Mt. Gox account balance at the time hackers were stealing BTC from Mt. Gox was 245.98124 BTC, and at least 245.92 BTC was stolen from me.

6.     Based on information and belief, between 2011 and 2014, the Mt. Gox Exchange experienced several hacks, which resulted in the theft of significant BTC that ended up in Silk Road, from where it was stolen again and transferred to the 1HQ3 wallet as follows: Between May 5, 2012 and April 9, 2013, BTC wallets with Blockchain addresses 1BBqjKsYuLEUE9Y5WzdbzCtYzCiQgHqtPN (the "1BB wallet") and 1BADznNF3W1gi47R65MQs754KB7zTaGuYZ (the "1BAD wallet") received approximately 47,599 BTC and 22,813 BTC, respectively, stolen from Silk Road (*see* First Am Compl. ¶¶ 15-16); these transfers contained mostly, if not entirely, the BTC that was stolen from Mt. Gox Exchange by hackers, including my BTC. On April 9, 2013, the stolen BTC was transferred from the 1BB and 1 BAD wallets to the 1HQ3 wallet from which it was seized by the government and is the subject of this forfeiture action. (*Id*. at ¶¶ 18-19, 23.) The BTC in the government's possession thus contains the BTC that was stolen from

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me, a fact that Mt. Gox actively concealed from me, as explained further below.

7.    Between 2011 and 2014, Mt. Gox was actively concealing the fact that its accounts were being hacked and customers' BTC was being stolen and placed into Silk Road. In other words, Mt. Gox ledgers were not accurate, and customers were being deceived with ledgers showing BTC that had been stolen and was gone. Indeed, Mark Marie Robert Karpelès, the former CEO of Mt. Gox Exchange, was prosecuted and found guilty by the Tokyo District Court of falsifying data to inflate Mt. Gox's holdings by $33.5 million to its account holders. The Japanese court found that Karpelès had inflicted massive harm to the trust of his users.

8.    Any usage or transfer of the BTC that was stolen from me by hackers was done without my knowledge or consent.

9.    Of the BTC that this the subject of this forfeiture action, I am an innocent owner of at least 245.92 BTC (and all associated past and future BTC forks, including but not limited to BTG, BSV, BCH, etc.), and my interest predates and supersedes the government's forfeiture claim.

10.    Based on the foregoing, the 245.92 BTC that is the subject of this claim should not be forfeited but returned to me.


Dated:  January 25, 2021                Respectfully submitted,

                                        ALMADANI LAW
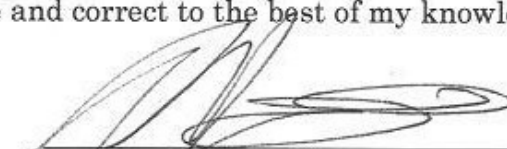

                                        */s/ Yasin M. Almadani*
                                        YASIN M. ALMADANI

                                        *Attorneys for Plaintiffs*

*Verified Claim and Statement of Interest*                *CV 20-7811-RS*

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**VERIFICATION**

2      I, Roman Hossain, hereby declare under penalty of perjury under the laws of the

3 United States that the foregoing is true and correct to the best of my knowledge and

4 belief.

5 Dated:  January 25, 2021

            ROMAN HOSSAIN

6             *Claimant*

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10 Represented by:

11 Dated:  January 25, 2021         ALMADANI LAW

12               */s/ Yasin M. Almadani*

13               YASIN M. ALMADANI

14               *Attorneys for Claimants*

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*Verified Claim and Statement of Interest*             *CV 20-7811-RS*

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## CERTIFICATE OF SERVICE

I, Yasin M. Almadani, hereby certify that I have electronically filed the above-captioned document with the Clerk of the Court using the CM/ECF system, which will automatically send an e-mail notification of such filing to all counsel of record.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated:  January 25, 2021                    Respectfully submitted,

ALMADANI LAW

 */s/ Yasin M. Almadani*
YASIN M. ALMADANI

*Attorneys for Plaintiffs*

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*Verified Claim and Statement of Interest*                    CV 20-7811-RS